



The 9/11 Terror Cases: Constitutional Challenges in the War against Al Qaeda (Landmark Law Cases and American Society)

Allan A. Ryan

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The terrorist attacks of 9/11 are indelibly etched into our cultural memory. This is the story of how the legal ramifications of that day brought two presidents, Congress, and the Supreme Court into repeated confrontation over the incarceration of hundreds of suspected terrorists and "enemy combatants" at the US naval base in Guantánamo, Cuba. Could these prisoners (including an American citizen) be held indefinitely without due process of law? Did they have the right to seek their release by habeas corpus in US courts? Could they be tried in a makeshift military judicial system? With Guantánamo well into its second decade, these questions have challenged the three branches of government, each contending with the others, and each invoking the Constitution's separation of powers as well as its checks and balances.

In *The 9/11 Terror Cases*, Allan A. Ryan leads students and general readers through the pertinent cases: *Rasul v. Bush* and *Hamdi v. Rumsfeld*, both decided by the Supreme Court in 2004; *Hamdan v. Bush*, decided in 2006; and *Boumediene v. Bush*, in 2008. An eloquent writer and an expert in military law and constitutional litigation, Ryan is an adept guide through the nuanced complexities of these cases, which rejected the sweeping powers asserted by President Bush and Congress, and upheld the rule of law, even for enemy combatants. In doing so, as we see clearly in Ryan's deft account, the Supreme Court's rulings speak directly to the extent and nature of presidential and congressional prerogative, and to the critical separation and balance of powers in the governing of the United States.

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